



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

August 10, 2009

Ken Gebhardt, Manager
Wallowa Valley Ranger District
88401 Highway 82
Enterprise, Oregon 97828

Subject: Westside Rangeland Analysis Project
EPA Project Number 08-001-AFS

Dear Mr. Gebhardt:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (DEIS) for the proposed **Westside Rangeland Analysis Area (WRAA) Project** on Wallowa Valley Ranger District of Wallowa-Whitman National Forest (WWNF) in Wallowa County, OR. The National Environmental Policy Act (NEPA) and Clean Air Act § 309 require EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures, we evaluate the document's adequacy in meeting NEPA requirements.

The DEIS evaluates potential environmental impacts of a proposal to authorize commercial livestock grazing within the WRAA on Wallowa Valley Ranger District of the WWNF where there is demand for livestock forage and stream shade and bank stability improvements are needed. The project area would be 62,888 acres and involve 6 livestock grazing allotments. Analysis of effects that would result from livestock grazing on the allotments considered 3 alternative actions, including a No Action and Preferred Alternatives. Under the Proposed Action and *Preferred Alternative*, the Forest Service (FS) would allow cattle, sheep, and horse grazing on the allotments, complete water and fencing developments to improve livestock distribution, and modify grazing practices in Buck Creek and Day Ridge allotments to improve steelhead habitat and range conditions, respectively.

EPA supports the overall purpose of the project to allocate forage for livestock grazing, while maintaining range conditions in satisfactory or better conditions. The DEIS includes good discussion and analysis of many of the issues raised in EPA's scoping comments, including analysis of water quality, habitat and vegetation, cumulative effects, climate change effects, and monitoring. The DEIS also does an excellent job of disclosing how grazing has affected and would affect soils, vegetation, streams and riparian areas, and other resources.

Our concerns with potential implementation of the Preferred Alternative (Alternative 2) as currently proposed relate to its potential impacts to water quality within creeks that are already on the Oregon State's most current 303(d) list and subsequent impacts to aquatic resources therein. We recommend that the FS continue to coordinate with the state Department of

Environmental Quality (ODEQ) to ensure that the state water quality standards would be met by the project. Also, the FS should continue to work with the National Marine Fisheries Service (NMFS) and the State of Oregon Department of Fish and Wildlife (ODFW) to define grazing practices that would be more protective of fishery resources. In addition, we are including the following comments that we hope will be useful to you as you complete the NEPA analysis for the proposed project.

Water quality

EPA supports the strategy to use a grazing system that combines early season, rest-rotation grazing systems with fences and water developments. We believe such a system will improve riparian health and water quality. The DEIS does a good job of explaining how management of vegetative growth in riparian areas will stabilize streambanks, increase shade and lower summer water temperature in streams over time. This strategy is likely to be consistent with watershed plans such as the Total Maximum Daily Loads (TMDLs) for 303(d) listed water bodies in the area. Such a strategy is also likely to reduce loading of fecal coliform and nutrients to waterways. We recommend that the final EIS include a discussion of bacteria and nutrients, if data are available.

It also appears that grazing in some allotments, such as Buck, Mud and Tope Creeks and South Powwatka allotments would slow the rate of water quality recovery. We recommend that active restoration be considered for these areas. This is particularly important because some streams are listed on the 2004/2006 ODEQ's 303(d) list for exceedances of the temperature standard for salmon rearing and migration (64.4⁰ F.).

EPA believes that additional protection of certain riparian areas may be warranted where they are near high quality habitat, drinking water sources, or areas that have other high ecological values. In such cases, we recommend that grazing exclusions be considered. This approach would move existing resource conditions toward desired future conditions more rapidly in high value riparian areas.

Endangered Species

The DEIS discusses potential impacts of the project to threatened, endangered and sensitive species, but does not include Biological Assessment (BAs) for the species. We recommend that the final EIS include such BAs, especially for the Snake River Basin Steelhead and Redband Trout. The results of consultation with U.S. Fish and Wildlife Service (USFWS) should be used to evaluate the effectiveness of each alternative in protecting and restoring habitat used by threatened, endangered and sensitive species. If the BA requires additional mitigation measures, the results should be incorporated into the selected alternative.

Wildlife resources

We are concerned about the impacts that historic and current grazing practices have on wildlife and wildlife habitat. We believe more emphasis is needed on impacts to animals that are killed, damaged, displaced, and that could potentially be extirpated from the area because of

continued livestock grazing. We recommend that the selected alternative further addresses impacts to the species most affected, both historically and currently from grazing practices and promotes the recovery of declining populations of species because of grazing. Much of the species affected are birds that rely on vegetation for nesting and breeding (see Table 37). Other species that are potentially affected are listed in Table 38. We also recommend that the final EIS discuss measures that the FS is taking to reduce adverse impacts to wildlife in the area from off-road vehicle use.

Noxious weeds

The establishment of invasive species has rapidly become a significant environmental and economic issue. Therefore, the final EIS should provide a discussion, consistent with the Executive Order (EO 13112), of how the FS would control and manage noxious weed infestation associated with the proposed livestock grazing within the WRAA. Livestock contribute to noxious weed invasion in a variety of ways, including: 1) transportation of weed seeds into uninfested sites, either externally on their coats and feet or internally within their digestive system; 2) preferentially grazing native plant species over weed species; 3) creating patches of nitrogen-rich soils, which favor nitrogen-loving weed species; and, 4) accelerating soil erosion that buries invasive seeds and facilitates their germination. The final EIS should discuss these types of effects and identify the strategies that would be used to reduce or eliminate these effects.

Coordination with Tribes

The draft EIS states that the planning team held consultations with the tribes, but information about the outcomes of these consultations was not included in the draft EIS. We recommend the final EIS discuss the process and outcomes of consultations with the tribes. We also recommend that the final EIS indicate the time frame covered under the proposed grazing program and discuss funding for the program as a whole, including the cost for each alternative action.

Based on our review, we have assigned a rating of EC-2 (Environmental Concerns Insufficient Information) to the Preferred Alternative (Alternative 2). A copy of the rating system used in conducting our review is enclosed for your reference.

We appreciate the opportunity to comment on this project. If you would like to discuss our comments in detail, please contact Theogene Mbabaliye at (206) 553-6322 or me at (206) 553-1601.

Sincerely,

/s/

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

cc:

EPA Oregon Operations Office
Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
National Marine Fisheries Service